

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Beaufort County
The Honorable Carmen T. Mullen, Circuit Court Judge
Appeal Case No. 2013-000488

THE STATE

RESPONDENT,

V

JERRY SCANTLING,

APPELLANT

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SC Court of Appeals

MOTION TO FILE INITIAL BRIEF OF RESPONDENT OUT OF TIME

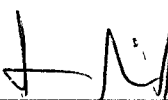
Comes now Respondent, above named, by and through undersigned counsel, and hereby moves for permission to file the Initial Brief of Respondent out of time. Due to an error by undersigned counsel, the Initial Brief of Respondent was not timely completed until very early on November 6, 2014.

Counsel compounded this mistake by not placing the Initial Brief of Respondent in the proper envelopes for mailing to opposing counsel and to this Court. Once counsel learned of this mistake, counsel placed the copies of the Initial Brief of Respondent in the proper envelopes and placed them in the mail on November 7, 2014. In light of these mistakes by counsel, Respondent would respectfully request this Court accept the Initial Brief of Respondent for filing out of time.

Respectfully submitted,

ALPHONSO SIMON, JR.
Assistant Attorney General

Post Office Box 11549
Columbia, South Carolina 29211
(803) 734-6305

By: 

ALPHONSO SIMON, JR. (S.C. Bar No 74713)

ATTORNEYS FOR RESPONDENT.

November 7, 2014

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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RESPONDENT,

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JERRY SCANTLING,

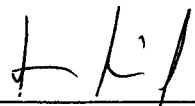
APPELLANT

CERTIFICATE OF SERVICE

I, Alphonso Simon Jr., counsel for Respondent, certify that I have served two (2) copies of the within Motion to File Initial Brief of Respondent Out of Time on counsel for the Appellant by depositing same in the United States mail, first class, postage prepaid, and addressed as follows:

David Alexander, Esq.
SCCID – Division of Appellate Defense
1330 Lady St., Ste #401
Columbia, SC 29201

This 7th day of November, 2014.

By: 
ALPHONSO SIMON, JR. (S C. Bar No. 74713)
Office of Attorney General
P.O. Box 11549
Columbia, SC 29211

ATTORNEYS FOR RESPONDENT.